
Introduced by Senator SherFebruary 19, 2003

An act to amend Section 35400 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 367, as introduced, Sher. Vehicles: maximum length: exceptions.

Existing law prohibits a vehicle operated on the highway from exceeding a length of 40 feet, except, among other things, a bus operated by a public agency or a passenger stage corporation, as defined, used in transit system service, other than a schoolbus, when the excess length is caused by a folding device that is attached to the front of the bus and is designed and used exclusively for transporting bicycles. Existing law prohibits the specified folding device from being used on a bus that exceeds 40 feet in length, exclusive of the device, or on a bus having a device for transporting bicycles attached to the rear of the bus.

This bill would delete the provision prohibiting the specified folding device from being used on a bus that exceeds 40 feet in length, exclusive of the device, or on a bus having a device for transporting bicycles attached to the rear of the bus.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 35400 of the Vehicle Code is amended
2 to read:



1 35400. (a) No vehicle ~~shall~~ *may* exceed a length of 40 feet.

2 (b) This section does not apply to any of the following:

3 (1) A vehicle used in a combination of vehicles when the excess
4 length is caused by auxiliary parts, equipment, or machinery not
5 used as space to carry any part of the load, except that the
6 combination of vehicles shall not exceed the length provided for
7 combination vehicles.

8 (2) A vehicle, when the excess length is caused by any parts
9 necessary to comply with the fender and mudguard regulations of
10 this code.

11 (3) (A) An articulated bus or articulated trolley coach that does
12 not exceed a length of 60 feet.

13 (B) An articulated bus or articulated trolley coach described in
14 subparagraph (A) may be equipped with a folding device attached
15 to the front of the bus or trolley if the device is designed and used
16 exclusively for transporting bicycles. The device, including any
17 bicycles transported thereon, shall be mounted in a manner that
18 does not materially affect efficiency or visibility of vehicle safety
19 equipment, and shall not extend more than 36 inches from the front
20 body of the bus or trolley coach when fully deployed. The
21 handlebars of a bicycle that is transported on a device described in
22 this subparagraph ~~shall~~ *may* not extend more than 42 inches from
23 the front of the bus.

24 (4) A semitrailer, while being towed by a motortruck or truck
25 tractor, if the distance from the kingpin to the rearmost axle of the
26 semitrailer does not exceed 40 feet for semitrailers having two or
27 more axles, or 38 feet for semitrailers having one axle if the
28 semitrailer does not, exclusive of attachments, extend forward of
29 the rear of the cab of the motortruck or truck tractor.

30 (5) A bus or house car, when the excess length is caused by the
31 projection of a front safety bumper or a rear safety bumper, or both.
32 The safety bumper ~~shall~~ *may* not cause the length of the vehicle to
33 exceed the maximum legal limit by more than one foot in the front
34 and one foot in the rear. For the purposes of this chapter, “safety
35 bumper” means any device that is fitted on an existing bumper or
36 which replaces the bumper and is constructed, treated, or
37 manufactured to absorb energy upon impact.

38 (6) A schoolbus, when the excess length is caused by the
39 projection of a crossing control arm. For the purposes of this
40 chapter, “crossing control arm” means an extendable and



1 retractable device fitted to the front of a schoolbus that is designed
2 to impede movement of pupils exiting the schoolbus directly in
3 front of the schoolbus so that pupils are visible to the driver while
4 they are moving in front of the schoolbus. An operator of a
5 schoolbus ~~shall~~ may not extend a crossing control arm while the
6 schoolbus is in motion. Except when activated, a crossing control
7 arm ~~shall~~ may not cause the maximum length of the schoolbus to
8 be extended by more than 10 inches, inclusive of any front safety
9 bumper. Use of a crossing control arm by the operator of a
10 schoolbus does not, in and of itself, fulfill his or her responsibility
11 to ensure the safety of students crossing a highway or private road
12 pursuant to Section 22112.

13 (7) A bus, when the excess length is caused by a device, located
14 in front of the front axle, for lifting wheelchairs into the bus. That
15 device ~~shall~~ may not cause the length of the bus to be extended by
16 more than 18 inches, inclusive of any front safety bumper.

17 (8) A bus, when the excess length is caused by a device attached
18 to the rear of the bus designed and used exclusively for the
19 transporting of bicycles. This device may be up to 10 feet in length,
20 if the device, along with any other device permitted pursuant to
21 this section, does not cause the total length of the bus, including
22 any device or load, to exceed 50 feet.

23 (9) A bus operated by a public agency or a passenger stage
24 corporation, as defined in Section 226 of the Public Utilities Code,
25 used in transit system service, other than a schoolbus, when the
26 excess length is caused by a folding device *that is* attached to the
27 front of the bus ~~which~~ and is designed and used exclusively for
28 transporting bicycles. The device, including any bicycles
29 transported thereon, shall be mounted in a manner that does not
30 materially affect efficiency or visibility of vehicle safety
31 equipment, and ~~shall~~ may not extend more than 36 inches from the
32 front body of the bus when fully deployed. The handlebars of a
33 bicycle that is transported on a device described in this paragraph
34 ~~shall~~ may not extend more than 42 inches from the front of the bus.
35 ~~A device described in this paragraph may not be used on any bus~~
36 ~~which, exclusive of the device, exceeds 40 feet in length or on any~~
37 ~~bus having a device attached to the rear of the bus pursuant to~~
38 ~~paragraph (7).~~

39 (10) A bus of a length of up to 45 feet when operating on those
40 highways specified in subdivision (a) of Section 35401.5. The

1 Department of Transportation or local authorities, with respect to
2 highways under their respective jurisdictions, ~~shall~~ *may* not deny
3 reasonable access to a bus of a length of up to 45 feet between the
4 highways specified in subdivision (a) of Section 35401.5 and
5 points of loading and unloading for motor carriers of passengers
6 as required by the federal Intermodal Surface Transportation
7 Efficiency Act of 1991 (P.L. 102-240).

8 (11) (A) A house car of a length of up to 45 feet, when
9 operating on the National System of Interstate and Defense
10 Highways, or when using those portions of federal aid primary
11 system highways that have been qualified by the United States
12 Secretary of Transportation for that use, or when using routes
13 appropriately identified by the Department of Transportation or
14 local authorities, with respect to highways under their respective
15 jurisdictions.

16 (B) A house car described in subparagraph (A) may be operated
17 on a highway that provides reasonable access to facilities for
18 purposes limited to fuel, food, and lodging when that access is
19 consistent with the safe operation of the vehicle and when the
20 facility is within one road mile of identified points of ingress and
21 egress to or from highways specified in subparagraph (A) for use
22 by that vehicle.

23 (C) As used in this paragraph and paragraph (10), “reasonable
24 access” means access substantially similar to that authorized for
25 combinations of vehicles pursuant to subdivision (c) of Section
26 35401.5.

27 (D) Any access route established by a local authority pursuant
28 to subdivision (d) of Section 35401.5 is open for access by a house
29 car of a length of up to 45 feet. In addition, local authorities may
30 establish a process whereby access to services by house cars of a
31 length of up to 45 feet may be applied for upon a route not
32 previously established as an access route. The denial of a request
33 for access to services shall be only on the basis of safety and an
34 engineering analysis of the proposed access route. In lieu of
35 processing an access application, local authorities, with respect to
36 highways under their jurisdiction, may provide signing, mapping,
37 or a listing of highways, as necessary, to indicate the use of these
38 specific routes by a house car of a length of up to 45 feet.

39 (c) The Legislature, by increasing the maximum permissible
40 kingpin to rearmost axle distance to 40 feet effective January 1,

1 1987, as provided in paragraph (4) of subdivision (b), does not
2 intend this action to be considered a precedent for any future
3 increases in truck size and length limitations.

4 (d) Any transit bus equipped with a folding device installed on
5 or after January 1, 1999, that is permitted under subparagraph (B)
6 of paragraph (3) of subdivision (b) or under paragraph (9) of
7 subdivision (b) shall be additionally equipped with any of the
8 following:

9 (1) An indicator light that is visible to the driver and is activated
10 whenever the folding device is in an extended position.

11 (2) Any other device or mechanism that provides notice to the
12 driver that the folding device is in an extended position.

13 (3) A mechanism that causes the folding device to retract
14 automatically from an extended position.

15 (e) (1) No person ~~shall~~ *may* improperly or unsafely mount a
16 bicycle on a device described in subparagraph (B) of paragraph (3)
17 of subdivision (b), or in paragraph (9) of subdivision (b).

18 (2) Notwithstanding subdivision (a) of Section 23114 or
19 subdivision (a) of Section 24002 or any other provision of law,
20 when a bicycle is improperly or unsafely loaded by a passenger
21 onto a transit bus, the passenger, and not the driver, is liable for any
22 violation of this code that is attributable to the improper or
23 unlawful loading of the bicycle.

